

In response to this Office Action, consideration of the following remarks is earnestly solicited.

**REMARKS**

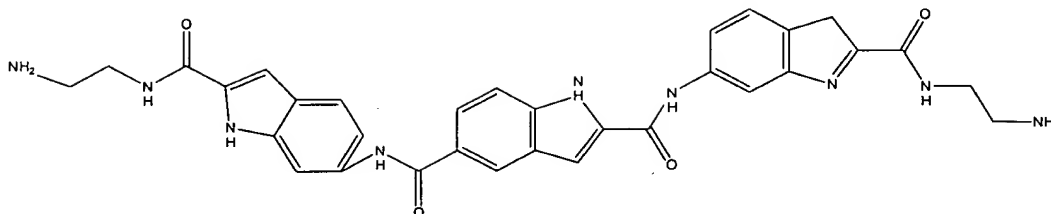
The Examiner has restricted this application into five groups, as follows:

- I. Claims 1-18 are drawn to a compound, classified in class 562, various subclasses.
- II. Claims 19 and 23 are drawn to a method for treating bacterial or fungal infections with a compound of formula I, classified in class 514, subclasses 37 and 39.
- III. Claim 20 is drawn to a method of inhibiting topoisomerase with a compound of formula I, classified in class 514, subclasses 37 and 39.
- IV. Claims 21 and 23 are drawn to a method for treating bacterial infections with a compound, classified in class 514, subclass 37.
- V. Claims 22 and 23 are drawn to a method of treating fungal infections with a compound, classified in class 514, subclass 39.

In response, Applicants hereby elect Group I, Claims 1-18, without traverse.

Applicants submit that the above election is sufficient to response to the restriction requirement set forth in the Office Action insofar as this election provides an election of a single invention.

However, if a species election is required, then Applicants elect, without traverse the following single disclosed species: 1H-Indole-2,5-dicarboxylic acid bis- {[2-(2-amino-ethylcarbamoyl)-1H-indol-6-yl]amide} which is represented by the formula:



This compound is disclosed on pages 64-65, in Example 53.

Applicants believe that Claims 1-7, 9-10, 12, 15, and 17 read on this elected compound. Early examination on the merits is requested.

Respectfully submitted,

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